

# STATE OF NEW YORK

5633

2025-2026 Regular Sessions

## IN ASSEMBLY

February 18, 2025

Introduced by M. of A. HUNTER -- read once and referred to the Committee on Labor

AN ACT to amend the general business law, in relation to the definition of construction contracts

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 1 of section 756 of the general business law,  
2 as amended by chapter 417 of the laws of 2009, is amended to read as  
3 follows:

4 1. "Construction contract" means a written or oral agreement for the  
5 construction, reconstruction, alteration, maintenance, moving or demoli-  
6 tion of any building, structure or improvement, or relating to the exca-  
7 vation of or other development or improvement to land, and where the  
8 aggregate cost of the construction project including all labor,  
9 services, materials and equipment to be furnished, equals or exceeds one  
10 hundred fifty thousand dollars. For the purposes of this article a  
11 construction contract shall not include any such contract made and  
12 awarded by the state, any public department, any public benefit corpo-  
13 ration, any public corporation or official thereof, or a municipal  
14 corporation or official thereof for construction, reconstruction, alter-  
15 ation, repair, maintenance, moving or demolition of any public works  
16 project nor any contract with a contractor or subcontractor which is  
17 part of such project; or any such contract the purpose of which is the  
18 construction, reconstruction, alteration, repair, maintenance, moving or  
19 demolition of an individual one, two or three family residential dwell-  
20 ing or a residential tract development of one hundred or less one or two  
21 family dwellings, or any residential construction project where the  
22 aggregate size of such project is four thousand five hundred square feet  
23 or less, or any residential project [~~of fewer than seventy five units~~  
24 ~~which receives financial assistance from the federal government, the~~  
25 ~~state or a municipal entity designed for households earning an average~~

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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1 ~~of one hundred twenty five percent of the housing and urban development~~  
2 ~~agency area median income]~~ that includes or will include residential  
3 dwelling units that must be affordable to residents at a specific income  
4 level pursuant to a statute, regulation, restrictive declaration or  
5 pursuant to a regulatory agreement with a federal, state, or local  
6 government entity.

7 § 2. This act shall take effect immediately.